

**STATEMENT OF  
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OFFICE OF SOLID WASTE AND EMERGENCY RESPONSE  
U.S. ENVIRONMENTAL PROTECTION AGENCY  
BEFORE THE  
SUBCOMMITTEE ON WATER RESOURCES AND ENVIRONMENT  
U.S. HOUSE OF REPRESENTATIVES**

**MARCH 8, 2006**

Mr. Chairman and Members of the Subcommittee, I am Susan Parker Bodine, Assistant Administrator of the Office of Solid Waste and Emergency Response (OSWER), U.S. Environmental Protection Agency (EPA). Also appearing today is Mr. Ben Grumbles, Assistant Administrator for EPA's Office of Water. We are pleased to be here to discuss President Bush's budget request for EPA and our views on Clean Water Act programs, Superfund, brownfields, and other programs that fall within the Agency's Offices of Water and Solid Waste and Emergency Response.

The President's budget provides the necessary funds for EPA to carry out our mission efficiently and effectively - to protect human health and safeguard the environment. The FY 2007 budget request is \$7.3 billion, which maintains steady funding for the brownfields program, maintains funding for continued Superfund cleanup progress, and increases funding for homeland security and emergency response efforts.

The President's 2007 budget for EPA reflects the need for spending restraint while accelerating environmental protection, advancing economic competitiveness and strengthening the security of our homeland.

## **OSWER PROGRAMS**

### **Superfund**

The Superfund program protects human health and the environment by requiring cleanup of hazardous waste sites and short-term actions to mitigate immediate threats to human health. This program also works with both public and private partners to promote reuse and redevelopment of Superfund sites.

Overall, the President's budget requests an increase for the Superfund program, increasing funding for enforcement and homeland security efforts. The \$9 million increase for enforcement will ensure that Superfund cleanups continue to be performed by the parties responsible for hazardous waste sites. In FY 2005, EPA secured more than \$1.1 billion in cleanup commitments and cost recovery from private parties. The \$12 million increase for homeland security will allow EPA to continue upgrading and enhancing our emergency response capabilities. Incorporated in the request is funding for additional Environmental Laboratory Preparedness and Response capacity. This funding will enable EPA to enhance Federal and state laboratory systems to support responses to national security incidents. The request also contains nearly \$2 million more in targeted investments to strengthen the Agency's readiness and response capabilities, including development of a national portfolio of decontamination resources, purchase of state-of-the-art equipment, and highly specialized training for On Scene Coordinators (OSCs).

The budget request for the Superfund Remedial Program will enable the Agency to maintain the overall pace of construction completions, notwithstanding a small reduction from FY 2006. To accelerate the pace of cleanup at Superfund sites where

responsible parties are not conducting the cleanup, we plan to increase the amount of program funds allocated for remedial construction at these orphan sites.

The Superfund program continues to meet Agency performance measures. As of the end of fiscal year 2005, cleanup construction has been completed at 966 National Priorities List (NPL) sites. Additionally, more than 90 percent of the 1547 NPL sites have begun construction activity, have been completed, or have been deleted from the NPL. EPA expects the Superfund program to complete cleanup construction at 40 Superfund sites in FY 2006.

Before or during long term remedial action, the Superfund program often completes short-term removal actions to mitigate immediate health threats at sites prior to completion of investigations and the start of long-term cleanup construction. For example, under the Superfund program, EPA has provided alternative sources of drinking water to more than 2 million people near sites where existing water supplies were determined to be unsafe due to contamination. Similarly, through removal actions the Superfund program controls exposure to hazardous substances so human health is protected while long-term cleanup is underway. The Superfund removal and emergency response program conducted more than 400 emergency response and removal cleanup actions in fiscal year 2005, and, to date, has completed more than 8,700 removals at hazardous waste sites to immediately reduce the threat to human health and the environment.

The Superfund program is undertaking a number of actions to ensure that program resources are used effectively and efficiently. For example:

- We have aggressively deobligated funds from contracts, grants, cooperative agreements and interagency agreements, to better utilize more than \$600 million for new cleanup activities over the past five fiscal years;
- We are conducting a workforce analysis to determine if staff resources should be reallocated.
- We are conducting benchmarking studies of EPA performance.
- We are sharing best practices among the EPA Regions.
- We have established the Contaminated Sediments Technical Advisory Group, comprised of Agency experts, to provide technical support to Regions with potentially high cost contaminated sediment sites.
- We have increased the number of sites addressed by the Remedy Review Board, which reviews high cost cleanup remedies, by lowering the threshold cost of remedies that will be reviewed from \$30 million to \$25 million.
- We continue to optimize long-term ground water remedies in order to reduce operating costs and restore potential drinking water sources more efficiently.

These efforts are in part a result of several studies, including an internal review of the Superfund program, known as the 120-Day Study, which identified opportunities for the Agency to begin and ultimately complete more long term cleanups with current resources.

EPA is undertaking all of these activities to find and efficiently utilize every dollar and resource available to clean up contaminated sites and to protect human health. However, the size, complexity and cost of sites currently under construction or ready to

begin construction continue to grow. In fact, in fiscal year 2005, approximately 50 percent of the Superfund obligations for long-term, on-going cleanup work were committed to just eleven sites. The Agency expects to have a similar situation this year.

## **Brownfields**

Brownfields cleanup and redevelopment continues to be one of the Administration's top environmental priorities. The President's fiscal year 2007 budget request maintains steady funding from fiscal year 2006 enacted funding levels for the brownfields program for a total request of \$163 million. Fiscal year 2007 funding will produce 1,000 assessments, 60 cleanups, and leverage more than \$900 million in cleanup and redevelopment funding.

Strong support by President Bush and Congress for brownfields cleanup and redevelopment culminated in enactment of the Small Business Liability Relief and Brownfields Revitalization Act. The Act was signed by President Bush on January 11, 2002, and expanded EPA's Brownfields Program, boosted funding levels, expanded the entities, properties and activities eligible for EPA funding, clarified and strengthened liability protection for certain property owners and provided increased support to state and tribal response programs. EPA has awarded 744 brownfields assessment grants in FY2003 through FY2005 that totaled more than \$217 million

## **Oil Spill Program**

EPA's oil spill prevention program requires protection of inland waterways through oil

spill prevention, preparedness, and enforcement activities associated with the more than 600,000 non-transportation related oil storage facilities that EPA regulates.

The President's budget request provides \$13 million for the Office of Solid Waste and Emergency Response's portion of EPA's oil spill program. Our oil spill program focuses on preventing oil spills from occurring, reduces the risk of hazardous exposure to people and the environment, and responds to spills when necessary. EPA and the U.S. Coast Guard evaluate thousands of spills annually to determine if assistance is required. On average, EPA either manages the oil spill response or oversees response efforts of private parties at approximately 300 sites per year.

## **Hurricane Response**

Beginning on August 25th, 2005, in advance of Hurricane Katrina, EPA deployed personnel to the Federal Emergency Management Agency (FEMA) National Response Coordination Center and sent On-Scene Coordinators (OSCs) to the Florida, Louisiana, Alabama and Mississippi Emergency Operations Centers. The OSC is the federal official responsible for monitoring or directing responses to all oil spills and hazardous substance releases reported to the federal government. EPA sent additional personnel to the affected areas as soon as travel into the region was possible. In anticipation of Hurricane Rita, EPA also deployed response experts to the multi-agency Regional Response Coordination Center in Denton, TX on September 20th. The number of EPA staff and contractors assisting with recovery efforts is more than 1,100. EPA's hurricane response related activities are being funded by FEMA pursuant to the President's disaster declaration.

EPA is the lead federal agency under the National Response Plan for Emergency Support Function (ESF) #10, which addresses oil and hazardous materials, and works with other agencies to provide support for a number of other Emergency Support Functions, including ESF #3, which addresses Public Works and Engineering. Specifically, our responsibilities include preventing, minimizing, or mitigating threats to public health, welfare, or the environment caused by the actual or potential releases of hazardous materials; testing the quality of flood waters, sediments, and air; and assisting with the restoration of the drinking and waste water infrastructure. Also under ESF #3, the Agency works with the U.S. Army Corps of Engineers to address final disposition of the large volumes of debris from homes, buildings and other structures damaged by Hurricane Katrina. EPA, in coordination with the States, is providing information to both workers and the public about sampling test results, as well as assisting communities with debris disposal and hazardous waste issues.

### **Land Revitalization**

The land revitalization initiative, launched in April 2003, includes all of EPA's cleanup programs as well as partners at all levels of government and in the private and non-profit sectors. The goal of land revitalization is to restore our nation's contaminated land resources and enable America's communities to safely return these properties to beneficial economic, ecological, and societal uses. EPA is ensuring that cleanup programs protect public health, welfare, and the environment; and also ensuring that the anticipated future uses of these lands are fully considered in cleanup decisions.

Experience has taught us that one of the best ways to clean up contaminated sites and to address blighted properties in communities is to expressly consider the future uses of this land. The country has accepted the economic and ecological importance of recycling various consumer products – and our understanding of sound resource management must now also embrace the recycling of contaminated properties.

Under the land revitalization agenda, we also are advancing several other key approaches. One of these is the One Cleanup Program. This approach does not require new programs or additional appropriations, but instead creates opportunities for the many state and federal cleanup programs to collaborate and leverage resources.

## **CONCLUSION**

EPA will continue to protect human health and the environment by requiring responsible parties to clean up hazardous waste sites and looking for ways to improve Superfund and brownfields program efficiency and effectiveness. I look forward to continuing to work with the Committee to address the Superfund and brownfields programs, and other programs entrusted to the Office of Solid Waste and Emergency Response. The President's budget request for EPA will help ensure that we are able to accomplish the Agency's important mission - - to protect human health and the environment.